

REMARKS

Status of the Application

Claims 1-4 are all the claims that have been examined in the application. Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,456,796 to Gupta et al.

Claim Rejections - 35 U.S.C. § 103

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,456,796 to Gupta et al.

Claim 1, as amended, recites that “the power of the plasma excitation electromagnetic wave is raised progressively until a power of at least 3000 W is reached.” The Examiner alleges that Gupta renders claim 1 obvious. Applicants respectfully disagree.

Gupta discloses, at maximum, a power of 500 W being reached (See FIGS. 2a and 2b). Claim 1, on the other hand, recites a power of at least 3000 W being reached. Thus, Applicants submit that amended claim 1 would not be obvious in view of Gupta, and is patentable. Claims 2-4 and 11 by virtue of their dependency from claim 1.

New Claims

Applicants hereby add new claim 11. Claim 11 depends from claim 1 and is patentable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Dion R. Ferguson/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Dion R. Ferguson
Registration No. 59,561

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 5, 2008